

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION

IN RE REGIONS MORGAN KEEGAN
SECURITIES, DERIVATIVE and ERISA
LITIGATION

No. 2:09-md-02009-SHM

This Document Relates to:

*In re Helios Closed-End Fund Derivative
Litigation*, No. 2:11-cv-02935-SMH-dvk

**CARTER ANTHONY’S MOTION TO DISMISS AMENDED VERIFIED
DERIVATIVE COMPLAINT**

Comes Now Carter Anthony, named as a defendant herein, and moves to dismiss this amended complaint for the reasons that it is barred by the applicable Statute of Limitations, it fails to state a claim upon which relief may be granted as to this defendant, and it fails to plead fraud with particularity as required by Rule 9(b) of the Federal Rules of Civil Procedure. Defendant further relies on the reasons advanced by co-defendants Morgan Asset Management, Inc. (“MAM”), Allen B. Morgan, Jr., J. Kenneth Alderman, Thomas R. Gamble, Charles D. Maxwell, Brian B. Sullivan, Joseph C. Weller, J. Thompson Weller, Michele F. Wood, James C. Kelsoe, Jr., and David H. Tannehill (collectively, the “Individual Defendants”).

This 13th day of January, 2012.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the within and foregoing **Motion to Dismiss** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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